

REMARKS

Claims 7, 17 and 21 have been amended to include the limitation of accessing a predetermined rating assigned to one or more characteristics of content. The rating is based on the degree to which the one or more characteristics are present within content. The rating for the content is compared to a rating of the same one or more characteristics specified by an advertiser. Because *Slezak* does not teach rating and *Hendricks* does not teach a rating of this nature, the claims are not obvious over *Slezak* in view of *Hendricks*.

Hendricks groups television programs by category such as sports, news, movies, children and entertainment. See, Figure 16. Any other grouping by *Hendricks* is based on viewer information and not on content characteristics. See, column 4, lines 51-55. *Hendricks* may also group advertisements in the same or similar types of categories. See, column 39, lines 21-26. Once the content is grouped by type, there is no further examination of the substance of the content. That is, per *Hendricks*, the program or advertisement either has the characteristic or it does not. There is no suggestion that *Hendricks* rates a program based on the degree to which one or more characteristics such as sexual content, violence or offensive language is present within the program. Further, the advertisers in *Hendricks* do not specify what characteristics or degrees of the characteristics are desirable or not desirable. For at least these reasons, the claims as amended are not obvious over *Slezak* in view of *Hendricks*.

In view of these remarks, the application is now in condition for allowance and the Examiner's prompt attention to this matter is respectfully requested.

Respectfully submitted,

Date: October 31, 2002



A handwritten signature in black ink, appearing to read "Rhonda L. Sheldon", is written over a horizontal line.

Rhonda L. Sheldon
Registration No. 50,457
TROP, PRUNER & HU, P.C.
8554 Katy Freeway, Suite 100
Houston, Texas 77024-1805
(713) 468-8880 [Phone]/(713) 468-8883 [Fax]



APPENDIX

7. (Twice Amended) [The] A method comprising:
allowing the use of a content on a content receiver;
automatically interrupting the use of content;
enabling the receiver to temporarily replace the content with advertising;
accessing a predetermined rating assigned to one or more characteristics of said content, said rating based on the degree to which said one or more characteristics is present within content; and
comparing said rating for the content to a rating of the same one or more characteristics specified by an advertiser.

17. (Twice Amended) An article comprising a medium for storing instructions that enable a processor-based system to:
allow the use of content on the system;
automatically interrupt the use of content;
enable the system to temporarily replace the content with advertising;
access a predetermined rating assigned to one or more characteristics of said content, said rating based on the degree to which said one or more characteristics is present within content; and
compare said rating for the content to a rating of the same one or more characteristics specified by an advertiser.

21. (Twice Amended) A system comprising:
a receiver that receives the transmission of content, said receiver including a shell to enable the use of content to be interrupted and temporarily replaced with advertising; and
storage coupled to said receiver storing instructions that enable said receiver to access a predetermined rating assigned to one or more characteristics of said content, said rating based on the degree to which said one or more characteristics is present within said content, and compare said rating for the content to a rating of the same one or more characteristics specified by an advertiser.

RECEIVED

NOV 06 2002

Technology Center 2600